

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LYLE BREHM, on behalf of Willard F.)
Brehm, Gladys M. Brehm, the Willard F.)
Brehm Revocable Trust and the Gladys)
M. Brehm Revocable Trust, REX)
WELDON, on behalf of Nancy Weldon,)
Robert Clark Weldon and the Robert)
Clark Weldon and Nancy Weldon Trust,)
JILL SCHUNEMAN, on behalf of herself)
and the Jill Schuneman Living Trust,)
and DAVID BUCKLEY, on behalf of)
himself, the Robert L. McKissick)
Irrevocable Trust and the Brenda L.)
Buckley Revocable Trust, collectively on)
behalf of themselves and all others)
similarly situated,)

Plaintiffs,)

v.)

CAPITAL GROWTH FINANCIAL, LLC,)
BRIAN SCHUSTER, ENGLE &)
SCHUSTER FINANCIAL, INC.,)
AMERICAN CAPITAL CORPORATION,)
ROYAL PALM CAPITAL GROUP, INC.,)
ALAN JACOBS, MICHAEL JACOBS,)
GERALD PARKER, JOHN BOYCE,)
GERALDINE MAGALNICK, PATRICK)
HARRINGTON, PETER KIRSCHNER,)
and STARK WINTER SCHENKEIN &)
CO., LLP,)

Defendants.)

8:07CV254

ORDER

This matter is before the court on the lead plaintiffs' motion to dismiss defendants Capital Growth Financial and Alan and Michael Jacobs, Filing No. [428](#). This court has approved a settlement between the parties. See Filing No. [335](#). Pursuant to that settlement agreement, Filing No. [277](#),

IT IS HEREBY ORDERED:

1. Plaintiffs' motion to dismiss defendants Capital Growth Financial and Alan and Michael Jacobs (Filing No. [428](#)) is granted.

2. Defendants Capital Growth Financial and Alan and Michael Jacobs are dismissed, without prejudice, each party to bear their own attorney fees, expert fees, and costs.

DATED this 12th day of November, 2010.

BY THE COURT:

s/Joseph F. Bataillon
CHIEF DISTRICT JUDGE

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